

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

SOLOMON WILLIAMS

Plaintiff,

v.

JBS PACKERLAND, INC.

Defendant.

)
)
)
)
)
)
)
)
)
)
)

Case No. 1:12-cv-0054

COMPLAINT

The above-named plaintiff, Solomon Williams, through his designated attorney, Gerbers Law, S.C., hereby alleges and sets forth to the Court as follows:

PARTIES

1. The plaintiff, Solomon Williams ("Williams"), is an adult resident of the State of Wisconsin, residing at 2247 Samantha Street, Apt. 8, De Pere, Wisconsin 54115.
2. The defendant, JBS Packerland, Inc., ("JBS") is a foreign corporation whose principal offices are located at 1770 Promontory Circle, Greeley, Colorado 80634. JBS operates a plant whose address is 1330 Lime Kiln Road, Green Bay, Wisconsin 54311. According to the State of Wisconsin Department of Financial Institutions, the registered agent for services of process of JBS is CT Corporation System, 8040 Excelsior Drive, Madison, Wisconsin 53717.

JURISDICTION AND VENUE

3. This Court has jurisdiction to hear this Complaint as the claims alleged arise under the laws of the United States, 42 U.S.C. § 1981 and 42 U.S.C. § 2000e-2, e-3.
4. Venue is proper in this Court pursuant because Williams resides in this judicial district and JBS operates its plant within this judicial district.

ALLEGATIONS

5. Williams is an African American.
6. Williams was employed by JBS from October 18, 2010 through October 14, 2011.
7. During his employment with JBS, Williams was treated differently than other similarly situated employees, and subjected to increased scrutiny, and harassment based upon his race.
8. On October 1, 2011, Williams was humiliated by a supervisor who refused to allow him to use the bathroom and then verbally degraded and chastised him when he was forced to leave his station to use the bathroom.
9. Other similarly situated employees who are of the same race as the supervisor are regularly given bathroom breaks as needed.
10. Williams informed JBS that he intended to file a claim with the Equal Employment Opportunity Commission over what he considered harassment and disparate treatment of African American Employees at JBS.
11. On October 12, 2011, Williams requested and was granted time off to visit the Department of Motor Vehicles to obtain a Wisconsin driver's license.
12. Due to unexpected delays at the DMV, Williams was unable to return to work in time for his shift.
13. Williams obtained a letter from the DMV explaining the delay and verifying that Williams was at the DMV during the relevant time period.
14. When Williams returned to work, he was verbally informed that he was terminated.
15. Upon information and belief, Williams' termination was retaliatory, in light of his complaint to the EEOC.
16. Williams suffered a pecuniary loss as a result of his termination.

17. Williams suffered emotional distress and mental anguish as a result of his negative treatment at JBS and his subsequent termination.

WHEREFORE, Solomon Williams preys,

- A. For a monetary judgment in the amount of Williams' pecuniary loss related to his termination;
- B. For compensatory damages as authorized by law; and
- C. For all other remedies that this Court deems just and equitable.

JURY DEMAND

Solomon Williams hereby demands a jury to try all material factual issues when joined.

Dated: May 29, 2012

Respectfully submitted,

GERBERS LAW, S.C.
Attorneys for Solomon Williams

By /s/ Nicholas Linz
Nicholas Linz, WI SBN 1064358

ADDRESS:

Gerbers Law, S.C.
480 Pilgrim Way, Suite 1200
Green Bay, WI 54304
920/499-5700
FAX 920/499-9790
nlin@gerberslaw.com

CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2012, a copy of the forgoing Complaint was mailed via first class mail with postage prepaid to Defendant at the address indicated in the Court records for this matter:

TO: JBS Packerland, Inc.
c/o CT Corporation System
8040 Excelsior Drive,
Madison, Wisconsin 53717.

By /s/ Nicholas Linz
Nicholas Linz, WI SBN 1064358